



05-29-03

Rec/3673/16

PATENT APPLICATION

Express Mail No. EV 326 567 998 US

IN THE U.S. PATENT AND TRADEMARK OFFICE

September 25, 2003

Applicant(s): Tadashi FUKUMOTO, et al.

For: BREAKWATER GENERATING STRUCTURE

Serial No.: 09/863 749

Group: 3673

Confirmation No.: 9164

Filed: May 23, 2001

Examiner: Saldano

Atty. Docket No.: Ishii Case 16

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OCT 03 2003

GROUP 3600

LETTER TO PATENT OFFICE

Sir:

This is a Request for Continued Examination filed pursuant to the provisions of 37 CFR 1.114(d) and is being presented in order to have the Amendment After Final Rejection dated August 7, 2003, entered into the present application. As discussed in the Amendment After Final Rejection, the currently pending claims are clearly patentably distinguishable over the prior art of record.

Reconsideration of the present application and the passing to issue is respectfully solicited.

Respectfully submitted,


Terryence F. Chapman

TFC/ad

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Reg. No. 24 323
Reg. No. 25 072
Reg. No. 22 724
Reg. No. 32 549
Reg. No. 36 589
Reg. No. 31 257
Reg. No. 24 949
Reg. No. 40 694
Reg. No. 36 328
Reg. No. 37 714

Encl: None



PATENT APPLICATION

"Express Mail" Mailing Label No.: EV 326 567 998 US

Date of Mailing: September 26, 2003

Applicant(s): Tadashi FUKUMOTO, et al.

Title: BREAKWATER GENERATING STRUCTURE

Serial No.: 09/863 749

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GROUP 3600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAILING CERTIFICATE

Sir:

I hereby certify that the attached paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FLYNN, THIEL, BOUTELL & TANIS, P.C.

By: *Olivia Shepper*

Date: September 26, 2003

Document(s) attached: Request for Continued Examination
Transmittal (in duplicate)
Letter to Patent Office
Check (\$1,570.00)
Postal Card

Telephone: (269) 381-1156
191.05/03



PATENT APPLICATION

Express Mailing Label No. EV 326 567 998 US

IN THE U.S. PATENT AND TRADEMARK OFFICE

Attorney Docket No.: Ishii Case 16

September 25, 2003

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GROUP 3600

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the below-identified pending utility or plant application:

Serial No.: 09/863 749

Filing Date: May 23, 2001

Title: BREAKWATER GENERATING STRUCTURE

Inventor(s): Tadashi FUKUMOTO and Tsuyoshi HASHIMOTO

Group: 3673

Examiner: Saldano

Please direct correspondence to the address associated with the following customer number:

23474

FLYNN, THIEL, BOUTELL & TANIS, P.C.
(FIRM)

1. Submission required under 37 C.F.R. §1.114
 - a. ☒ An amendment under 37 C.F.R. §1.116 previously filed on August 7, 2003 was not entered. Please enter before calculating the filing fee.
 - b. ☒ Enclosed is/are:
 - i. ☐ Amendment/Response (please enter before calculating the filing fee)
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Acknowledgment Post Card
 - v. ☒ Letter to Patent Office

U.S. PATENT AND TRADEMARK OFFICE

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2. Miscellaneous

- a. ☐ Small entity status is claimed. See 37 CFR 1.27.
☐ Statement(s) re small entity is/are enclosed.

b. ☐ _____

3. Fees (The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed).

- a. ☒ The RCE fee and any filing fee for claims are calculated as shown below, after entering any amendments which this transmittal indicates are to be entered prior to such calculation:

For	No. Filed	No. Extra	(X) LG Entity	RATE () SM Entity	Fee
Basic RCE Fee			\$750.00	\$375.00	\$750.00
Total Claims	(15 - 20 = 0)		x \$ 18.00	x \$ 9.00	
Indep. Claims	(6 - 6 = 0)		x \$ 84.00	x \$ 42.00	
<input type="checkbox"/> Multiple Dep. Claim			+ \$280.00	+ \$140.00	
* * * TOTAL FILING FEE * * *					\$ 750.00

- b. ☒ Pursuant to 37 C.F.R. §1.136(a), please extend the shortened period for response by three month(s). The extension fee is:

☒ \$930.00 (37 C.F.R. §1.17) minus a one-month time extension of (\$110.00) was paid on August 7, 2003 equals \$820.00

- c. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months). Suspension of action fee is \$_____ (37 C.F.R. §1.17(i)).

- d. ☒ A check for \$1,570.00 is enclosed to cover fees.

- e. ☐ Please charge my Deposit Account No. 06-1382 in the amount of \$_____. A duplicate copy of this transmittal is enclosed.

- f. ☒ The Commissioner is hereby authorized to charge payment of any additional application processing fees under 37 C.F.R. §1.17 associated with this communication or to

RCE Transmittal - Page 3
Serial No. 09/863 749

credit any overpayment to Deposit Account No. 06-1382.

A duplicate copy of this sheet is enclosed.

The undersigned is: ☒ an attorney of record

☐ acting under 37 C.F.R. §1.34.

Please direct all telephone calls to the undersigned at
telephone number (269) 381-1156.

Respectfully submitted,

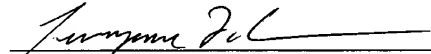
FLYNN, THIEL, BOUTELL & TANIS, P.C.

IN DUPLICATE

TFC/ad

Encl: Listed above

106.07/03



Terryence F. Chapman
Reg. No. 32 549